



## Ohio Administrative Code

### Rule 5120:1-1-21 Revocation of release if releasee recommitted for new offense.

Effective: May 1, 2020

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(A) The adult parole authority shall revoke the release of any releasee who is recommitted to the department of rehabilitation and correction to serve a prison term for a felony sentence imposed upon him by any court in Ohio for an offense he committed while on any release granted by the adult parole authority or serving a period of parole supervision pursuant to rule 5120-11-19 of the Administrative Code.

(B) This revocation shall be accomplished by the issuance of minutes by the adult parole authority after it has verified that the sentence was imposed for an offense that occurred while the prisoner was under release status.

(C) If the prisoner was on release from a definite sentence only, is recommitted to serve a definite sentence or sentences, and is not serving any indefinite sentence, there shall be no further release consideration and the offender shall serve the balance of the aggregate definite sentence, diminished pursuant to rules 5120-2-04 to 5120-2-08 of the Administrative Code, unless the prisoner becomes eligible for release on transitional control.

(D) If the prisoner was on release from an indefinite sentence or one or more sentences for which he is recommitted is an indefinite sentence, he shall be scheduled for a parole release hearing when eligible pursuant to rules 5120-2-03 to 5120-2-08 and rule 5120:1-1-13 of the Administrative Code.

(E) The foregoing procedures do not apply to the class identified in the consent decree appended to the reported decision of *Kellogg v. Shoemaker* No. 2-90-CV-606 (S.D. Ohio). The procedures for this class are set forth in that consent decree.

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